

**UNITED STATES DISTRICT COURT**  
MIDDLE DISTRICT OF PENNSYLVANIA

UNITED STATES OF AMERICA  
v.  
JAMES C. BELCHER

**Judgment in a Criminal Case**  
(For **Revocation** of Probation or Supervised Release)

Case No. 1:06-CR-0154-01

USM No. 13630-067

Heidi Freese, Esquire

Defendant's Attorney

**THE DEFENDANT:**

☒ admitted guilt to violation of all condition(s) listed below of the term of supervision.

☐ was found in violation of condition(s) \_\_\_\_\_ after denial of guilt.

The defendant is adjudicated guilty of these violations:

<u>Violation Number</u>	<u>Nature of Violation</u>	<u>Violation Ended</u>
Standard Condition #2	Defendant shall report to the probation officer and shall submit	06/06/2014
	a truthful and complete written report within the first five days	
	of each month.	

The defendant is sentenced as provided in pages 2 through 6 of this judgment. The sentence is imposed pursuant to the Sentencing Reform Act of 1984.

☐ The defendant has not violated condition(s) \_\_\_\_\_ and is discharged as to such violation(s) condition.

It is ordered that the defendant must notify the United States attorney for this district within 30 days of any change of name, residence, or mailing address until all fines, restitution, costs, and special assessments imposed by this judgment are fully paid. If ordered to pay restitution, the defendant must notify the court and United States attorney of material changes in economic circumstances.

Last Four Digits of Defendant's Soc. Sec. No.: 3533

07/10/2014

Date of Imposition of Judgment

Defendant's Year of Birth: 1948

S/William W. Caldwell

Signature of Judge

City and State of Defendant's Residence:

Perry County Prison

William W. Caldwell, United States District Judge

Name and Title of Judge

07/14/2014

Date

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### ADDITIONAL VIOLATIONS

<u>Violation Number</u>	<u>Nature of Violation</u>	<u>Violation Concluded</u>
Standard Condition #3	Defendant shall answer truthfully all inquiries by the probation officer and	06/24/2014
	follow the instructions of the probation officer.	06/24/2014
Special Condition #2	Defendant shall participate in a sex offender treatment program, which may	
	include risk assessment testing, counseling and therapeutic polygraph	
	examinations, and shall comply with all requirements of the treatment	
	provider. The defendant shall contribute to the cost of treatment in an	
	amount to be determined by the probation officer, and the treatment is to be	
	conducted by a therapist approved by the probation officer.	02/01/2013
Special Condition #5	Defendant shall not use a computer with access to any "on-line computer	
	service" without the prior written approval of the probation officer. This	
	includes and Internet service provider, bulletin board system or any public or	
	private computer network.	
Modified Condition #1	Defendant shall comply with the terms of the Computer Monitoring/Filtering	06/13/2014
	Participant Agreement for the Middle District of Pennsylvania and shall pay	
	the costs of the computer/monitoring program, not to exceed the monthly	
	contractual rate, in accordance with the probation officer's instructions.	
Computer Monitoring	I understand that I may only use one computer in my home, and agree not to	06/13/2014
Filtering Participant	use any other computer without the approval of the probation officer. This	
Agreement #4	computer must have a Windows based operating system. I further understand	
	that I am solely responsible for the content, programs, and data on computer.	
Computer Monitoring	I will not use any software program or device designed to tamper with, re-	06/13/2014
Filtering Participant	verse engineer, or in any way circumvent the monitoring and/or filtering soft-	
Agreement #7	ware/hardware, or to use any software program or hardware to hide, alter, or	
	delete records/logs of my computer use, Internet activities, or the files stored	
	on my assigned computer. This includes the use of encryption, stenography,	
	and cache/cookie removal software.	

[illegible]

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### IMPRISONMENT

The defendant is hereby committed to the custody of the United States Bureau of Prisons to be imprisoned for a total term of :

Eight (8) months.

☒ The court makes the following recommendations to the Bureau of Prisons:

Placement at FCI Butner

☒ The defendant is remanded to the custody of the United States Marshal.

☐ The defendant shall surrender to the United States Marshal for this district:

☐ at \_\_\_\_\_ ☐ a.m. ☐ p.m. on \_\_\_\_\_ .

☐ as notified by the United States Marshal.

☐ The defendant shall surrender for service of sentence at the institution designated by the Bureau of Prisons:

☐ before 2 p.m. on \_\_\_\_\_ .

☐ as notified by the United States Marshal.

☐ as notified by the Probation or Pretrial Services Office.

☐ The defendant is to contact the United States Marshal's Office no later than three days prior to the above date to be notified of the place of confinement.

### RETURN

I have executed this judgment as follows:

Defendant delivered on \_\_\_\_\_ to \_\_\_\_\_  
at \_\_\_\_\_ with a certified copy of this judgment.

\_\_\_\_\_  
UNITED STATES MARSHAL

By \_\_\_\_\_  
DEPUTY UNITED STATES MARSHAL

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### SUPERVISED RELEASE

Upon release from imprisonment, the defendant shall be on supervised release for a term of :

Life

The defendant must report to the probation office in the district to which the defendant is released within 72 hours of release from the custody of the Bureau of Prisons.

The defendant shall not commit another federal, state or local crime.

The defendant shall not unlawfully possess a controlled substance. The defendant shall refrain from any unlawful use of a controlled substance. The defendant shall submit to one drug test within 15 days of release from imprisonment and at least two periodic drug tests thereafter as determined by the court.

- ☐ The above drug testing condition is suspended, based on the court's determination that the defendant poses a low risk of future substance abuse. (Check, if applicable.)
- ☒ The defendant shall not possess a firearm, ammunition, destructive device, or any other dangerous weapon. (Check, if applicable.)
- ☐ The defendant shall cooperate in the collection of DNA as directed by the probation officer. (Check, if applicable.)
- ☒ The defendant shall register with the state sex offender registration agency in the state where the defendant resides, works, or is a student, as directed by the probation officer. (Check, if applicable.)
- ☐ The defendant shall participate in an approved program for domestic violence. (Check, if applicable.)

If this judgment imposes a fine or restitution, it is be a condition of supervised release that the defendant pay in accordance with the Schedule of Payments sheet of this judgment.

The defendant must comply with the standard conditions that have been adopted by this court as well as with any additional conditions on the attached page.

### STANDARD CONDITIONS OF SUPERVISION

- 1) the defendant shall not leave the judicial district without the permission of the court or probation officer;
- 2) the defendant shall report to the probation officer in a manner and frequency directed by the court or probation officer;
- 3) the defendant shall answer truthfully all inquiries by the probation officer and follow the instructions of the probation officer;
- 4) the defendant shall support his or her dependents and meet other family responsibilities;
- 5) the defendant shall work regularly at a lawful occupation, unless excused by the probation officer for schooling, training, or other acceptable reasons;
- 6) the defendant shall notify the probation officer at least ten days prior to any change in residence or employment;
- 7) the defendant shall refrain from excessive use of alcohol and shall not purchase, possess, use, distribute, or administer any controlled substance or any paraphernalia related to any controlled substances, except as prescribed by a physician;
- 8) the defendant shall not frequent places where controlled substances are illegally sold, used, distributed, or administered;
- 9) the defendant shall not associate with any persons engaged in criminal activity and shall not associate with any person convicted of a felony, unless granted permission to do so by the probation officer;
- 10) the defendant shall permit a probation officer to visit him or her at any time at home or elsewhere and shall permit confiscation of any contraband observed in plain view of the probation officer;
- 11) the defendant shall notify the probation officer within seventy-two hours of being arrested or questioned by a law enforcement officer;
- 12) the defendant shall not enter into any agreement to act as an informer or a special agent of a law enforcement agency without the permission of the court; and
- 13) as directed by the probation officer, the defendant shall notify third parties of risks that may be occasioned by the defendant's criminal record or personal history or characteristics and shall permit the probation officer to make such notifications and to confirm the defendant's compliance with such notification requirement.
- 14) the defendant shall notify the court of any material change in the defendant's economic circumstances that might affect the defendant's ability to pay restitution, fines, or special assessments.

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### **ADDITIONAL SUPERVISED RELEASE TERMS**

- 1) The Defendant shall comply with the registration of the sex offender registration agency in any state where he resides, is employed, carries on a vocation, or is a student, and shall comply with all other requirements of the Sex Offender Registration and Notification Act;
- 2) Though the defendant may have access to the internet in general, he shall not view any naked images/pictures (male or female) of anyone under the age of 18;
- 3) The Defendant shall comply with the terms and conditions set forth in the Computer Monitoring/Filtering Participant Agreement for the Middle District of Pennsylvania, and shall pay the costs of the computer monitoring/filtering program, not to exceed the monthly contractual rate, in accordance with the probation officer's instructions. Other than computers on which the appropriate monitoring/filtering has been installed, the Defendant shall not use a computer with access to any "online computer service" without the prior written approval of the probation officer. This includes any Internet Services Provider, bulletin board system, or any other public or private computer network;
4. The defendant shall submit his person, and any property, house, residence, vehicle, papers, computer, other electronic communication or data storage devices or media, and effects to search at any time, with or without a warrant, by any law enforcement or probation officer with reasonable suspicion concerning a violation of a condition of supervised release or unlawful conduct by the person, and by any probation officer in the lawful discharge of the officer's supervision functions. Failure to submit to a search may be grounds for revocation. The defendant shall warn any other residents that the premises may be subject to searches pursuant to this condition;  
An officer may conduct a search pursuant to this condition only when reasonable suspicion exists that the defendant has violated a condition of his supervision and that the areas to be searched contain evidence of this violation. Any search must be conducted at a reasonable time and in a reasonable manner;
- 5) The Defendant shall have no direct or indirect contact with any person under the age of 18, except in the presence of an adult who is aware of the nature of the Defendant's background, including the current offense, and who has been approved by the probation officer;
- 6) The Defendant shall participate, at the Defendant's expense, in a sex offender treatment program, which may include risk assessment testing, counseling and therapeutic polygraph examinations, and shall comply with all requirements of the treatment provider. The treatment is to be conducted by a therapist approved by the probation officer; and
- 7) The Defendant shall undergo a mental health evaluation and, if recommended, the Defendant shall satisfactorily complete a program of outpatient or inpatient mental health treatment.